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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

**M-09-625**

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UNITED STATES OF AMERICA

C O M P L A I N T

- against -

(T. 31 U.S.C. § 5332)

LUIS PILARTE,

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

JOSEPH QUATTROCCHI, being duly sworn, deposes and states that he is a Special Agent with United States Immigration and Customs Enforcement ("ICE"), duly appointed according to law and acting as such.

Upon information and belief, on or about June 25, 2009, within the Eastern District of New York, the defendant LUIS PILARTE did knowingly and with the intent to evade the currency reporting requirements under Title 31, United States Code, Sections 5316(a)(1)(A) and 5316(b), conceal more than \$10,000 in currency and other monetary instruments, to wit, approximately \$62,831.00 in United States currency, on his person, and transport and transfer and attempt to transport and transfer such currency and monetary instruments from a place within the United States to a place outside of the United States.

(Title 31, United States Code, Sections 5332; Title 18, United States Code, Sections 3551 et seq.)

The source of your deponent's information and the grounds for his belief are as follows:<sup>1</sup>

1. I am familiar with the facts contained in this affidavit as a result of my participation in the investigation of the bulk cash smuggling discussed in this affidavit, which includes, but is not limited to, my review of the file and conversations with other law enforcement personnel assisting with the investigation.

2. On or about June 25, 2009, Customs and Border Protection officers (the "CBP officers") at John F. Kennedy International Airport in Queens, New York, boarded a Jet Blue flight destined for Santiago, Dominican Republic, to conduct a border search for individuals who were attempting to smuggle cash out of the United States without declaring it. The officers encountered the defendant LUIS PILARTE, a Jet Blue employee who was off duty, seated on the plane.

3. The CBP officers spoke with the defendant about the Title 31 currency reporting requirements and displayed a card containing those requirements. The defendant stated that he understood the reporting requirements. The officers asked the defendant to declare all monies that he was transporting. The defendant stated that he was carrying \$2,800.00 and signed a

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<sup>1</sup> Because this affidavit is being submitted for the limited purpose of establishing probable cause to arrest the defendant, I have not included details of every aspect of this investigation.

Customs form CBP-503 declaration form, which he said he understood, to that effect.

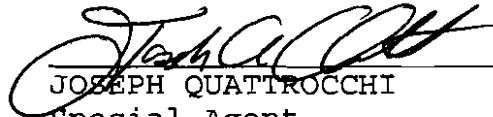
4. The CBP officers asked the defendant to present the money that he was carrying for verification. The defendant removed \$2,831.00 United States currency from his wallet presented to the CBP officers. At that time, the defendant appeared to be nervous and began to pace back and forth.

5. The CBP officers noticed a bulge in the defendant's front pants pocket. They patted him down, and discovered that the defendant was carrying four bundles of cash totaling of \$60,000.00 United States currency in his pockets. The CBP officers notified ICE of the situation.

6. ICE agents interviewed the defendant in the CBP office. The agents read the defendant the Miranda warnings, and the defendant stated that he understood them and was willing to speak with the agents. The defendant then stated that he knew that he was obliged to report all cash that he was carrying out of the United States, and that as a Jet Blue employee he had received specific

training regarding the currency reporting requirements. He also stated that he knew that his failure to declare the cash was illegal.

WHEREFORE, your deponent respectfully requests that the defendant LUIS PILARTE be dealt with according to law.

  
JOSEPH QUATTROCCHI  
Special Agent  
Immigration and Customs  
Enforcement

Sworn to before me this  
25th day of June 2009

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S/Orenstein

JUDGE  
WORK